

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Project Name: Detached Accessory Dwelling Unit Ordinance

Applicant Name: City of Seattle - Department of Design, Construction and Land Use

Address of Proposal: City of Seattle, State of Washington

SUMMARY OF PROPOSED ACTION

The proposal is to allow for detached accessory dwelling units (detached ADUs) in Single Family Zones, and to modify certain development standards related to detached accessory structures.

The following approval is required:

SEPA - Environmental Determination - Chapter [25.05](#), Seattle Municipal Code.

SEPA DETERMINATION:

☐ Exempt ☒ DNS ☐ MDNS ☐ EIS
☐ DNS with conditions
☐ DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

Background

A detached accessory dwelling unit (detached ADU) is a living space located on the same lot as a single family house, and is physically separate from the principal dwelling. The Land Use Code currently allows for ADUs in single family zones, subject to requirements described in Seattle Municipal Code (SMC) [23.44.041](#). Current rules require that ADUs be attached to the principal dwelling, and entrances to the two dwellings must generally be on different sides of the structure. The proposed ordinance would allow single family homeowners in single family zones to locate an ADU in a separate structure, subject to development standards related to height, bulk, scale and location of the structure on the lot.

As part of the Demonstration Program for Innovative Housing Design, DCLU reviewed and permitted four proposals for detached ADUs located in Single Family Zones. Drawing from that experience, DCLU proposes development standards that seek to facilitate development of detached ADUs appropriate to their residential neighborhood context.

The Proposal

Under the proposed rules, some single family homeowners who occupy homes in single family zones would be allowed to construct new accessory structures or modify existing structures to install a second dwelling unit, accessory to but separate from the principal home. While under current rules it is possible to install an ADU in the home, the ADU must be physically attached to the principal dwelling unit and generally may not be located in any required yards.

Current single family zoning rules also allow a variety of uses to occur in detached accessory structures: such uses must be clearly incidental to the single family home, and the structures are subject to development standards that limit height, lot coverage, and location on the lot. The proposed rules draw heavily from existing development standards associated with accessory structures, but they provide for increased height over what is currently allowed for accessory structures located in required rear yards. The proposed rules also provide for additional measures to restrict the bulk and scale of detached ADUs, including setbacks, Floor-Area Ratio (FAR), and height limits related to lot width.

Public Input

DCLU staff conducted public meetings and solicited comments from stakeholders. The majority of public input related to the four detached ADUs recently developed under the Demonstration Program for Innovative Housing Design. DCLU considered the priorities identified through this feedback in formulating the proposed development standards for detached ADUs. The 2003 Evaluation Report associated with the Demonstration Program is available on the DCLU website at the following internet address:

<http://www.cityofseattle.net/DCLU/CodeDev/HousingChoices/demo.asp>

ANALYSIS - SEPA

This proposal is an adoption of legislation and is defined as a non-project action. The SEPA ordinance requires a threshold determination for any proposal which meets the definition of action that is not categorically exempt. SMC [25.05.800](#) does not specifically address this action as a Categorical Exemption, and therefore DCLU must determine whether the proposal would have any probable significant adverse environmental impacts.

The applicant submitted a signed and dated environmental checklist on July 23, 2003. The checklist constitutes the initial disclosure of the potential impacts from this project. This information and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

Projects subject to the provisions of this amendment may be reviewed for their individual, site specific environmental impacts. However, development of a single accessory dwelling unit is categorically exempt from the provisions of SEPA (SMC [25.05.800](#)), and would typically involve a "Type I" nondiscretionary review of a building application, with no public notice. Development of detached ADUs on single family lots located in certain Environmentally Critical Areas (ECAs) would be subject to the provisions of the ECA ordinance, but such development is unlikely to exceed the single family threshold of 9,000 sq.ft. of new developmental disturbance: almost all proposed ADUs would therefore be exempt from environmental review.

Development resulting from the proposed amendments is likely to increase density in single family neighborhoods. Based on recent ADU trends, DCLU estimates that Seattle homeowners are likely to build an average of 54 detached ADUs per year, perhaps peaking at around 93 per year. The higher intensity of use may result in minor increases in noise, traffic, and parking impacts on subject sites and the surrounding neighborhoods. However, DCLU does not consider these impacts to be significant, particularly considering that such long-term impacts currently exist associated with single family homes, and the same impacts are inherent in existing and potential attached ADUs. As such, the current development potential for ADUs establishes a baseline comparable to what would likely result from the proposed rules.

Required parking is to be accommodated on-site, as provided in the proposed rules. Consistent with current Code, in certain cases homeowners may request that the Director waive the parking requirement,

based on recognized site constraints and a neighborhood analysis of on-street parking availability. Considering that the proposed language for detached ADUs mirrors that required for attached ADUs in the existing Code standards, and that individual parking waivers are available only on a case-by-case basis subject to DCLU discretion, it is not likely that a provision for detached ADUs will result in any significant impacts on parking availability in single family neighborhoods.

Bulk and Scale

Various development standards limit building bulk in single family zones, including height limits, lot coverage limits, and building setbacks associated with required yards. The existing height limit for single family zones allows principal structures to rise 30' to the top of wall within the buildable area of a lot. A bonus of 5' is available for pitched roofs, and additional height may be added to the downhill side of a structure on sloped lots. The Code provides for further allowances for rooftop appurtenances, such as chimneys or solar collectors.

Building bulk is further limited in required front, rear, and side yards. Certain accessory structures are often allowed in such yards: examples are detached garages, workshops, tool sheds, and guest houses containing no food preparation area. Accessory structures are generally prohibited in required front yards, and the proposed revisions would not allow detached ADUs to be located in front yards. Current Code does allow for accessory structures in rear yards and certain portions of side yards, subject to several limitations on height, floor area, lot coverage, and location on the lot.

The proposed rules draw substantially from restrictions currently applied to accessory structures in required yards. However, the proposal envisions a change in the height limit applied to such structures. A detached garage located in a required yard is currently allowed to be 12' tall to the top of wall and 15' to the ridge of a pitched roof, as measured from the entrance to the garage. The proposed rules would allow as much as 16' for the base height of an accessory structure containing an ADU, depending on lot width. A pitched roof could extend as high as 23', again depending on lot width. It is therefore possible that many detached ADUs will be taller than any structure currently allowed in required yards.

The proposed ordinance would require that detached ADUs be allowed only on sites that meet certain dimensional criteria for lot area, width, and depth. On sites that are smaller or more constrained, any Accessory Dwelling Unit would be required to be attached to the principal structure. This may limit development of ADUs that are incongruous with their lots and their principal structures.

The proposed rules measure the height of a detached ADU from existing or finished grade, whichever is lower, at all points. On sloping lots, this means that height limits effectively parallel grade. This method resembles the measurement technique applied to principal structures, except that no sloped lot height bonus would apply to detached ADUs. Unlike pitched roof bonuses for principal structures, the proposed rules would allow for shed roofs on detached ADUs. A mitigating standard is that the vertical face of the highest roof pitch must be set back from side or rear lot lines, or must be oriented away from adjacent properties and toward the principal structure.

The measurement technique applied to detached ADUs does differ from that applied to garages in required yards. Existing rules for garages limit height only on the face of the structure containing the vehicle entrance (see SMC [23.44.016 D2a](#)). If the lot slopes down from the face of the garage, current rules allow for garages that exceed the 12' plate height limit. Conversely, detached garages located in uphill yards are generally shorter as measured along their side and rear walls. Therefore some existing garages may already resemble the bulk and scale of the detached ADUs likely to result from the proposed legislation.

It is currently possible to build an accessory structure to the maximum height limit for the zone, for those portions of a structure located within a lot's principal buildable area. Such detached structures may not currently contain an ADU, and the proposed rules would limit height to a maximum of 23 feet, depending

on lot width. In such rare cases, the proposed detached ADU standards represent a reduction in allowed building mass.

DCLU recognizes that the proposed rules allow for structures taller than currently permitted in typical required rear yards. However, bulk and scale impacts on neighboring properties are sufficiently mitigated by a variety of development standards. These include:

- varied height limits related to lot width, such that detached ADUs would be shorter on narrower lots;
- a 1000 sq.ft. cap on gross floor area and a floor area ratio, both including enclosed garages;
- lot coverage limitations in required rear yards and on the lot as a whole;
- the constraints of adhering to height limits on sloping lots;
- and the provisions for orientation of shed roofs.

The proposed bulk and scale limits for detached ADUs do not represent an increase in the overall massing allowed on the typical single family lot. In fact, a development scenario involving a detached ADU would generally result in less gross floor area than a scenario involving a new single family home that maximizes its allowed lot coverage. Instead, the proposed rules represent a reallocation of allowed massing on single family lots. The impacts of this reallocated massing are most likely to be in required rear yards, and the proposed rules adequately address such impacts.

Land Use

The SEPA checklist identifies Seattle Comprehensive Plan goals that relate to the proposed legislation. The Comprehensive Plan's [Land Use Element](#) contemplates single family development consistent with the character of existing neighborhoods, and it encourages the development of housing alternatives that contribute to the enhancement of neighborhoods. Residences accessory to single family homes are one such alternative, and the provision for detached ADUs certainly expands the scope of housing options available to Seattle residents.

While detached ADUs may represent a new and different approach to development in single family zones, they comply with the policies of the Comprehensive Plan by facilitating the following:

- preservation of existing single family structures that might otherwise be demolished in order to develop single family lots to the fullest possible extent;
- development of smaller, more affordable, ground related rental housing in the context of stable owner-occupied residential neighborhoods,
- greater flexibility and affordability for single family homeowners.

Traffic

DCLU does not anticipate significant traffic impacts associated with increased numbers of units. Additional traffic resulting from increased numbers of units is not expected to be significant to the overall citywide street network. While the proposed rules are likely to facilitate development that marginally increases residential densities in single family zones, it is unlikely that the new development would impact congestion at any specific intersection.

Summary

The SEPA checklist addresses each of the environmental policies relevant to the proposed text amendment. Where DCLU has identified likely adverse impacts, the proposed development standards mitigate those impacts by limiting the potential building envelope for detached ADUs.

As confirmed by the Demonstration Program for Innovative Housing Design, it is possible to successfully integrate detached ADUs into established single family neighborhoods. The proposal expands the range of options available to single family homeowners to provide quality, affordable housing while respecting the character of single family zones.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW [43.21C](#)), including the requirement to inform the public of agency decisions pursuant to SEPA.

- ☒ Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW [43.21C.030\(2\)\(C\)](#).
- ☐ Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW [43.21C.030\(2\)\(C\)](#).

SEPA CONDITIONS

None.

Signature: _____
Scott A. Ringgold
Land Use Planner for
Department of Design, Construction and Land Use

Date: _____

h:\doc\current\dadus\dadudecision.doc